



## General Assembly

A/RES/37/123  
16 December 1982

### 37/123. The situation in the Middle East

#### A

*The General Assembly,*

*Having discussed* the item entitled "The situation in the Middle East",

*Taking note* of the reports of the Secretary-General,<sup>1/</sup>

*Recalling* Security Council resolution 497 (1981) of 17 December 1981,

*Reaffirming* its resolutions 36/226 B of 17 December 1981 and ES-9/1 of 5 February 1982,

*Recalling* its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

*Reaffirming* the fundamental principle of the inadmissibility of the acquisition of territory by force,

*Reaffirming once more* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>2/</sup> to the occupied Palestinian and other Arab territories, including Jerusalem,

*Noting* that Israel's record and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

*Noting further* that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, the latest of which was resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B and ES-9/1;

2. *Declares once more* that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitutes an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is null and void and has no legal validity and/or effect whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all the provisions of the Hague Convention of 1907 <sup>3/</sup> and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their effective annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demands that Israel, the occupying Power, rescind forthwith its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(a) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(b) To refrain from acquiring any weapons or military equipment from Israel;

(c) To suspend economic, financial and technological assistance to and co-operation with Israel;

(d) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates* its call to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution.

## **B**

*The General Assembly,*

*Recalling* the relevant provisions of the Universal Declaration of Human Rights,<sup>4/</sup>

*Recalling also* the Constitution of the United Nations Educational, Scientific and Cultural Organization <sup>5/</sup> and all other relevant international instruments concerning the right to cultural identity in all its forms,

*Having learned* that the Israeli army, during its occupation of Beirut, seized and took away the archives and documents of every kind concerning Palestinian history and culture, including cultural articles belonging to Palestinian institutions - in particular the Palestine Research Centre - archives, documents, manuscripts and materials such as film documents, literary works by major authors, paintings, *objets d'art* and works of folklore, research works and so forth, serving as a foundation for the history, culture, national awareness, unity and solidarity of the Palestinian people,

1. *Condemns* those acts of plundering the Palestinian cultural heritage;

2. *Calls upon* the Government of Israel to make full restitution through the United Nations Educational, Scientific and Cultural Organization, of all the cultural property belonging to Palestinian institutions, including the archives and documents removed from the Palestine Research Centre and arbitrarily

seized by the Israeli forces.

## C

*The General Assembly,*

*Recalling* its resolution 36/120 E of 10 December 1981, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

*Recalling* Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

1. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980);

2. *Calls upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations.

## D

*The General Assembly,*

*Recalling* its resolution 95 (I) of 11 December 1946,

*Recalling also* its resolution 96 (I) of 11 December 1946, in which it, *inter alia*, affirmed that genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices -whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds - are punishable,

*Referring* to the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly on 9 December 1948,6/

*Recalling* the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,2/

*Appalled* at the large-scale massacre of Palestinian civilians in the Sabra and Shatila refugee camps situated at Beirut,

*Recognizing* the universal outrage and condemnation of that massacre,

*Recalling* its resolution ES-7/9 of 24 September 1982,

1. *Condemns in the strongest terms* the large-scale massacre of Palestinian civilians in the Sabra and Shatila refugee camps;

2. *Resolves* that the massacre was an act of genocide.

## E

*The General Assembly,*

*Having heard* the address by the President of the Lebanese Republic on 18 October 1982,7/

*Taking note* of the decision of the Government of Lebanon calling for the withdrawal from Lebanon of all non-Lebanese troops and forces which are not authorized by the Government to deploy therein,

*Bearing in mind* Security Council resolutions 508 (1982) of 5 June 1982 and 509 (1982) of 6 June 1982,

1. *Calls* for strict respect of the territorial integrity, sovereignty, unity and political independence of Lebanon and supports the efforts of the Government of Lebanon, with regional and international endorsement, to restore the exclusive authority of the Lebanese State throughout its territory up to the internationally recognized boundaries;

2. *Requests* the Secretary-General to report to the General Assembly on the implementation of the

present resolution.

**F**

*The General Assembly,*

*Having discussed* the item entitled "The situation in the Middle East",

*Reaffirming* its resolutions 36/226 A and B of 17 December 1981 and ES-9/1 of 5 February 1982,

*Recalling* Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

*Taking note* of the report of the Secretary-General of 12 October 1982,8/

*Welcoming* the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and the situation in the Middle East,

*Gravely concerned* that the Arab and Palestinian territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,2/ to all the occupied Palestinian and other Arab territories, including Jerusalem,

*Reiterating* all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

*Reaffirming further* the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

*Gravely concerned* also at recent Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

*Welcoming* the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and 9 September 1982,9/

*Bearing in mind* the address made, on 26 October 1982, by His Majesty King Hassan II of Morocco, in his capacity as President of the Twelfth Arab Summit Conference,10/

1. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. *Reaffirms* its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

3. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

4. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982 and 37/86 E of 20 December 1982;

5. *Rejects* all agreements and arrangements in so far as they violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

6. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it as its "capital", as well as the measures to alter its physical character, demographic composition, institutional structure and status, are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions, including Assembly resolutions 37/86 A to E;

7. *Condemns* Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

8. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relevant to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

9. *Considers* that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

10. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

11. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-eighth session a comprehensive report covering the developments in the Middle East in all their aspects.

\* \* \*

1/ A/37/169 and Add.1-3-S/14953 and Add.1-3.

2/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

3/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press), 1915, p. 100.

4/ Resolution 217 A (III).

5/ See Manual of the General Conference, 1981 edition (Paris, UNESCO, 1981).

6/ Resolution 260 A (III).

7/ See A/37/PV.35.

8/ A/37/525-S/15451.

9/ See A/37/696-S/15510, annex.

10/ See A/37/PV.44.